



IAP13 Rec'd PGT/PTO 25 OCT 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Robert J. KELLY et al. Confirmation No: 3394  
Appl. No. : 10/572,593  
Filed : March 20, 2006  
Title : Composite Materials Containing Keratin  
  
TC/A.U. : Unassigned  
Examiner : Unassigned  
  
Docket No.: : KELL3013/JEK  
Customer No: : 23364

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. §371**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action dated August 25, 2006, in connection with the above-identified application. This response is timely filed.

The Official Action indicates that in order to complete the requirements for acceptance of the application under 35 U.S.C. §371, Applicants must submit an Oath or Declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The Official Action also indicates that a surcharge of \$65 for late submission of an oath or declaration as set forth in 37 CFR 1.492(h) by a small entity in compliance with 37 CFR 1.27 must also be submitted with the missing oath of declaration in order to avoid abandonment of the instant application.

Accordingly, Applicants submit herewith a Declaration in full compliance with 37 CFR 1.497(a) and (b) and which identifies the application by the International application number and international filing date. Applicants also submit herewith a surcharge of \$65 for late submission of the oath or declaration by a small entity.

10/30/2006 ATRAN1 00000104 10572593


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65.00 DP

Appl. No. 10/572,593  
Response dated: October 23, 2006  
Reply to OA of: August 25, 2006

In light of this submission, it is believed that the application is now in condition for acceptance under 35 U.S.C. §371. Accordingly, Applicants most respectfully request that the application be accepted under 35 U.S.C. §371 and forwarded to the appropriate examining group for its examination.

Respectfully submitted,  
BACON & THOMAS, PLLC

By:   
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SAB/cmd

October 25, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/572,593	Robert James Kelly	KELL3013JEK

INTERNATIONAL APPLICATION NO.
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PCT/NZ04/00216

I.A. FILING DATE	PRIORITY DATE
09/13/2004	09/19/2003

23364  
BACON & THOMAS, PLLC  
625 SLATERS LANE  
FOURTH FLOOR  
ALEXANDRIA, VA 22314

Date 8/29/06 Atty JEK  
Action Due Missing Reg'ts  
Deadline 10/25/06  
Final Deadline 3/25/07  
Based on \_\_\_\_\_

CONFIRMATION NO. 3394

371 FORMALITIES LETTER



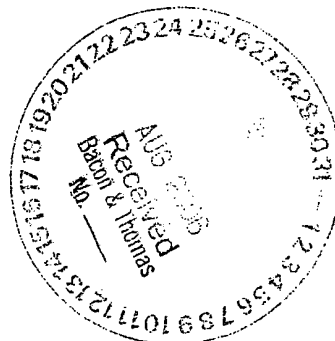
\*OC00000020183053\*

Date Mailed: 08/25/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/20/2006
- Copy of the International Search Report filed on 03/20/2006
- Preliminary Amendments filed on 03/20/2006
- Small Entity Statement filed on 03/20/2006
- Request for Immediate Examination filed on 03/20/2006
- U.S. Basic National Fees filed on 03/20/2006
- Priority Documents filed on 03/20/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/572,593	PCT/NZ04/00216	KELL3013JEK